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ABSTRACT

From 1984 to 1994, the state of California constructed 19 prisons and only one state university, according to this report presented by the Justice Policy Institute. The report suggests on the basis of that data and other findings that the state of California has made financial and budget policy decisions which work against African Americans, and that prison building has become a priority while higher education has lost ground in the areas of state budget, number of jobs, affordability, construction of new institutions, population increases, and salaries for professionals. It is argued that African American communities have suffered as a result. Compounding the problem, a public university education is becoming less affordable. Grants have decreased, and tax dollars spent on various budget items reflect increasingly higher proportions spent on corrections. The trend is expected to continue in the next decade. The report suggests implementing policies that will limit growth of the prison population, and shifting budget priorities to promote affordability and accessibility of higher education, particularly for African Americans. (HB)

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From Classrooms to Cell Blocks: How Prison Building Affects Higher Education and African American Enrollment in California October 1996

By Kathleen Connolly,Lea McDermid, Vincent Schiraldi, and Dan Macallair

"As we look back on our past and toward our future, it becomes self-evident that a well-educated populace has always been, and must continue to be, California's most important natural resource. Postsecondary education makes a direct contribution to the public commonwealth at all levels. It supplies an educated citizenry, a flexible and versatile workforce, a strong and dynamic economy, and cultural values that nurture social and political cohesion among a diverse populace."
- California Postsecondary Education Commission The Challenge of the Century, 1995

"An argument over which is more important -- schools or prisons -- is one which the proponents of prisons can not win in the current political environment in California. Public sentiment in favor of schools is simply too overwhelming on this topic. The only way to build a consensus for prisons is to do so in a way that will not be seen as coming at the expense of education."
- Calfornia Correctional Peace Officers Association Meeting the Challenge of Affordable Prisons, 1995

Introduction

The state of California is often considered a bellwether for trends likely to affect other states. In the 1960s and 1970s, California's university system was the jewel of its state government, and was emulated by states throughout America. During its heyday, it was considered the engine which drove California's economic boom.

Since the 1980's, California's government expenditures have been increasingly driven by another engine - the prison system. Once a sleepy little department with little political clout, the California Department of Corrections has mushroomed into a statewide behemoth, whose expenditure increases have outpaced other General Fund expenditures three-fold. The ten-fold increase in the prison budget since 1980 prompted the former Chair of the Joint Committee on Prison Construction and Operations, Senator Robert Presley, to dub the California Department of Corrections "California's Pentagon."

In 1994, the Center on Juvenile and Criminal Justice undertook an analysis of the tradeoff between corrections and higher education inherent in California's "zero sum" budget, issuing a report entitled Trading Books for Bars: The Lopsided Funding Battle between Prisons and Universities. This analysis noted that, from 1984 to 1994, California constructed 19 prisons and only one state

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university. During those ten years, the Department of Corrections added 25,864 employees, while there was a workforce reduction in higher education of 8,082 employees. The budget for higher education, which in 1984 had been 2-1/2 times that of corrections, was in a dead heat with corrections funding in 1994, both at about 9.8% of the budget.

Earlier this year (February 1996), CJCJ conducted an analysis of the impact that the growth in California's criminal justice system was having on African Americans. Young African Americans and California's Criminal Justice System, revealed that nearly 4 in 10 young African American men in California were under some form of criminal justice control. In March 1996, CJCJ's analysis Three Strikes: Localizing Apartheid revealed that African Americans are being imprisoned under California's new "Three Strikes and You're Out" law at 13.3 times the rate of whites.

In July, 1996, the California Supreme Court decided in the case of People v. Romero, that state judges have discretion in how to apply the Three Strikes law. That decision prompted immediate legislative and ballot proposals to "fix" the law by denying discretion to both prosecutors and judges. If such a law passes, the "prison gap" between African Americans and Whites will likely increase even further in California. Californians are now poised to make several decisions which will significantly impact the likelihood that the prison system will imprison larger numbers of young African Americans, while the university system educates fewer. The "California Civil Rights Initiative" abolishes the use of affirmative action in California's universities. Proposed amendments to the "Three Strikes" law guarantee the imprisonment of larger numbers of African American Californians. A recurring proposal to construct $2 billion in prisons will further limit possible funding for university expansion.

Purpose of this Study This study is conducted as a follow-up to CJCJ's previous analyses to offer a broader and more thorough examination of the tradeoff between prisons and universities, and the impact that tradeoff has on African Americans. The questions examined in this report include:

-What has happened to California's use of prisons and public higher education for African Americans since 1980? Have prisons become more readily accessible to blacks? Have universities become less accessible?

-What change has occurred in funding for the two systems during that time?

-What does the public think about the tradeoff between corrections and education?

-What does the future bring under current assumptions, even if none of the changes described above (i.e. the "California Civil Rights Initiative", $2 billion prison construction bond, Three Strikes "fix-it" legislation) come to pass?

Findings

Prisons are More Accessible for African Americans than Public Universities Since 1980, California has made policy and fiscal decisions that increasingly favor locking people up rather than providing them with higher education. Decisions have consistently favored the prison system at a comparable loss to the quality of higher education in the following areas of public concern: the state budget, number of jobs, affordability of higher education, construction of new institutions, population increases and salaries for professionals.

Nowhere is this disparity more poignant than in our state's African American communities. State decisions have ravaged this community to the point where now, in 1996, African Americans are represented far more readily in the prison system than in California's institutions of higher education.

-1,996 in every 100,000 African Americans are in prison in California, compared to 242 in every 100,000 Whites. By comparison, 1,005 in every 100,000 African Americans are enrolled in public higher education, compared to 926 in every 100,000 Whites. Put another way, African Americans are imprisoned 8 times as frequently as Whites, and are recipients of public higher education at about the same rate.

-Approximately 22,555 African Americans attend a four-year public university in California while 44,792 (almost twice as many) African Americans are in prison. This figure does not include all the African Americans who are in county jails or the California Youth Authority or those on probation or parole.

-Five times as many African American men are in prison in California as are enrolled in public higher education. This stands in stark contrast to the fact that there are 3.4 times as many students in UC and CSU (489,308) as prisoners in the CDC (142,078). By the year 2001, it is expected that 8 times as many African American men will be imprisoned as are enrolled in UC and CSU.

-Between 1980 and 1996, the number of African American males in prison has more than quadrupled (8,139 to 41,434) while the number of African American males enrolled in public higher education has only increased by 29% (6,852 to 8,810).

Public Universities in California are Becoming Less Affordable Especially for African Americans Attending college today in California is much less affordable than it was in 1980. According to the Census Bureau, the median income for a family of four in California did not even double between 1980 and 1994 (from $26,070 in 1980 to $48,755 in 1994), while UC fees increased five-fold during the same period (from $772 in 1980 to $4126 in 1995-1996) and CSU fees increased by almost eight times (from $226 in 1980 to $1734 in 1995).1

The reduced earning power of African American households makes entrance into higher education an even more difficult hurdle. A recent report by the U.S. Census Bureau states that 29.3% of African Americans live below the poverty line while less than 15% of whites are living below the poverty line.2 Given that the median annual income for African American families is significantly less than that for white families, the total cost of attending college represents a much greater percentage of an African American family's income. The total annual cost (including tuition, fees, rent, food, books, supplies, and personal items) of attending UC in 1980 was $4418, which represents 41% of the median income nationally for an African American household in that year and 23.6% of the median household income for whites. In 1995-1996, UC costs increased to $12,885, the equivalent of 57.5% of the median income nationally for an African American household ($22, 393) and 36% of the median white income for 1994 ($35,760).3

This disproportionate increase in the cost of attending college would be more manageable if grant awards compensated for the additional burden on students and their families. However, figures show that grants are decreasing. The maximum Cal Grant award in 1990 covered 100% of the UC and CSU fees. However, in 1995, Cal Grants covered only 92% of UC and CSU fees.4

Not only does the Cal Grant award pay for a smaller portion of tuition, during the five year period from 1989-90 to 1994-95, the number of students seeking an award nearly doubled from 166,742 to 326,652. During this same period the number of awards granted remained the same; 31,220 students received an award (less than 10% of students needing aid).5

According to "Trends in Student Aid: California", a report by the California Higher Education Policy Center, changes in student aid appear to be driven not by policy but by ad hoc responses to a succession of state financial emergencies. They found that:

-Financial aid has not kept pace with increases in the costs of higher education.

-Most of the financial aid available is in the form of loans and there has been an explosion in student borrowing in recent years.

-Most of the increase in grant aid in public four-year colleges and universities has been financed not by the state or federal government, but by students themselves through student fee dollars "recycled" for financial aid.6

Given that African American households are required to pay a greater percentage of their income to afford the cost of college, it is safe to assume that they would require more financial aid. Since most aid available is in the form of loans, this means that a greater percentage of African Americans would need to borrow more money than their white counterparts.

The cycle of financial disparity is perpetuated after graduation. African American college graduates earn less money with their Bachelor's degree than Whites. In 1993, the average annual income nationally for individuals 18 years or older with a Bachelor's degree was $27, 996 for African Americans and $32,184 for Whites.7 This means that African Americans with a Bachelor's degree earn $.87 for every dollar that a white person with the same degree earns. For most African Americans to pay back their loans, they will, therefore, have to make larger monthly payments for a longer period of time and those payments will represent a larger percentage of their monthly income.

As the cost of attending college increases, it is becoming disproportionately unrealistic for African Americans to afford a college education. Therefore, just looking at financial factors alone, the cost of attending college is increasing at a rate which is weeding out potential African American students. Those who are able to afford it are then faced with a system which is becoming increasingly hostile toward them. African Americans make up only 4% of the student body at the University of California schools and these numbers have not significantly increased in the past 15 years. In 1980-1981, African Americans represented 3.4% of the student population at UC schools. Therefore, even with Affirmative Action policies in place, admissions for African American students have only increased six-tenths of one percent over the past 15 years.

California's State Budget: A Reflection of Priorities

The most tangible manifestation of California's priorities is how the state spends its tax dollars. Through our analysis of the changes in the California General Fund appropriations since 1980-81, the increasingly higher proportions earmarked for corrections clearly occur at the expense of other major program expenditures, particularly, higher education. California's top priority used to be higher education as evidenced by the passage of the 1960 Master Plan for Higher Education which promised

that among other commitments: "a space for every undergraduate student would be available; no tuition would be charged California residents; and student's should be charged low fees, only for 'auxiliary services'."8 These priorities have fallen by the wayside, replaced by an ambitious Master Plan for the Department of Corrections. Republican Brooks Firestone, chairman of the Assembly Higher Eduction Committee, believes the state can no longer afford to provide postsecondary education for every reasonably qualified high school graduate and he favors limitations on admissions to public colleges and universitites.9

While Higher Education has been forced to turn students away for lack of space, unlimited prison expansion is accommodating the enormous increase in the number of individuals being sent to prison. While students must make up for the shortfalls in the Higher Education budget by tuition hikes and ever increasing fees, Californians pay the $21,37510 cost per prisoner per year for housing rapidly-increasing numbers of primarily non-violent offenders.

In 1980-81, higher education11 accounted for 9.2% of the state's General Fund expenditures while corrections was only 2.3% of General Fund expenditures.12

Over a period of 16 years, a monumental shift in priorities has occurred. For the first time in California's history, in 1996/97, higher education is apportioned only 8.7% of the General Fund while corrections received 9.6% of the same pie.

During this 16 year period, General Fund expenditures increased by 128%. At the same time, the budget for higher education only increased by 116%, while the corrections budget skyrocketed, increasing by 868%. The corrections budget went from $675 million in 1980/81 to $4.56 billion in the current year. Higher education however, went from $1.9 billion in 1980/81 to $3.9 billion in 1996/97, a much smaller increase.13

This trend is expected to continue according to a Rand Corporation study that estimates state spending on corrections is rising to an astonishing 18% of the General Fund over the next 7 years. Because this is more than the expected increase in state revenues, Rand researchers predict that higher education will likely fuel the growth in the corrections budget.14

How has this shift in priorities occurred? In addition to the passage of over 1,200 pieces of legislation, lengthening sentences and creating new crimes, the current budget-setting practice is to fully fund the prison and parole caseload no matter what the justification. At this rate, and with no other significant policy changes, the CDC budget will grow from its current level of approximately $3.5 billion to nearly $5 billion by the year 2000-0115. Unlike the commitment to fully funding prison and parole caseloads, the California state budget does not fully fund student caseloads in higher education. When the prison budget increases, students pay the costs through rising tuition rates or increased fees.

The California Department of Corrections has estimated that 24 new prisons will need to be built by 2005 to keep pace with the incarceration rate. Construction of these prisons alone will cost taxpayers $7 billion with operating costs increasing to $6 billion annually.16 Californians are faced with a dilemma as approximately 450,000 students will be heading toward public higher education at the same time. The California Postsecondary Education Commission estimates that approximately $1 billion per year will be needed for higher education capital outlay to meet these demands. According to experts, there is no known way that capital funding in such a large amount can possibly be raised especially taking into account the State's current fiscal inability to improve and repair existing

campuses .17

The Tradeoff between corrections and higher education: The will of the voter?

With such a clear-cut shift in priorities over the last 16 years, one would think that California voters are overwhelmingly supportive of these policy and legislative decisions. Or could it be that Californians have not had the opportunity to consider all sides of the issue? Californians are concerned for public safety as well they should be. However, at what expense are Californians willing to support the massive prison industrial complex? In order to determine those priorities, the California Correctional Peace Officers Association (CCPOA), one of the state's largest giving Political Action Committees, undertook a random survey of 800 registered voters in California. The goal was to see just what California voters supported in the state budget.

By an overwhelming majority, Californians voiced their sentiments through the results of this survey that showed "prison construction is a relatively low priority, particularly when weighed against the goal of building new schools."18 Californians chose schools over prisons by 78% to 15% when given a forced choice of either building more schools or building more prisons. While 69% of those surveyed showed strong support for bonds to fund schools, only 38% of voters supported a $1.9 billion prison bond proposal. When forced to make cuts in the state budget, one-third of voters chose building fewer prisons versus only 9% who would choose cuts in schools.

This survey was conducted by the CCPOA in search of ways to increase prison funding. While the results of the study clearly illustrate the will of Californian voters, the CCPOA is undaunted, concluding:

An argument over which is more important -- schools or prisons -- is one which the proponents of prisons cannot win in the current political environment in California. Public sentiment in favor of schools is simply too overwhelming on this topic. The only way to build a consensus for prisons is to do so in a way that will not be seen as coming at the expense of education (p. 15).

Other studies and polls have supported the findings of the CCPOA. One study, conducted for the California State Senate, concluded that voters oppose a prison bond 3 to 2 while they favored a rollback of university tuition 3 to 1.19 Recently, the Washington Post conducted a national poll where 60 percent of those surveyed believed higher education was becoming out of reach for the average American. "Anxiety about that issue outranked virtually every other domestic concern of voters, including fear of crime and the health of the nation'a economy."20

Whom will we make room for?: Prisons or Students?

California is facing a crisis on two fronts. The decisions that are made in the next few years will determine whether we choose to accommodate more students in our universities or lock up more nonviolent offenders in our prisons. As the baby boomers graduated from high school, a "tidal wave" of Californians matriculated into college in the 1960s. Now as the baby boomers' children begin thinking about college, California's universities are bracing themselves for "Tidal Wave II"21. This wave is expected to result in 450,000 more students entering the state's colleges and universities by the year 2006 -- an increase of nearly 50 percent.

California requires more than 20 new campuses to accommodate this looming influx of new students.22 Yet when University of California Regents announced the site for their proposed 10th

campus in Merced County in 1995, they declared that the $600 million needed to construct the campus would not be available for at least ten years, if ever.23 Patrick M. Callan, executive director of the California Higher Education Policy Center, sums up the crisis: "It isn't that this state has a bad plan for accommodating the increase in student enrollment. It has no plan at all."24

According to a 1996 study by the California Higher Education Policy Center, California legislators, particularly Republicans, have been instrumental in stonewalling any progress to be sought for Higher Education. Just this past year, Republicans opposed voting on education bonds for months unless they were linked with the construction of new prisons, while Democrats refused to accept this criteria. The study notes:

The logjam was broken when Assemblyman Jim Brulte of Rancho Cucamonga persuaded his Republican colleagues in the Assembly to vote for the school bond measure because it would certainly fail, allowing a $1.7 billion prisons-only bond issue to be placed on next November's ballot.25 By the year 2000, the CSU system expects to increase its student population by 53,555 students. In spite of this increase, they project a 5.3% decrease in the number of African American male students, from 7,016 in 1995 to 6,661 in 2000. The number of African American male students is also projected to decrease at the University of California, from an actual enrollment of 2,651 in 1995 to a projected enrollment of 2,138 in 2000, a 24% decrease, while the total student body (including graduate students) is projected to increase by 11,671 to 175,375, a 14% increase. 26

California's Department of Corrections is also facing a population crisis of epic proportions. With an estimated 10% population increase per year, the prison population is expected to reach 232,386 by the end of fiscal year 2000-01. This represents an increase of over 101,000 in the next 6 years compared to an increase of approximately the same amount in the previous 15 years.27

The CDC forecast for 1996-97 assumes that 9,628 offenders -- roughly 800 per month or one of every eight offenders sent to prison by the courts -- will be committed to prison under the "Three Strikes" law. "Three Strikes" admissions are expected to exceed 13,100 annually by 2000-01. At the current incarceration rates, this means that 72,130 prisoners in the year 2001 will be African American males, more than eight times the projected number of African American males who will be enrolled in public four-year higher education institutions (8799 students). The impact of these admissions is magnified because offenders sentenced under the "Three Strikes" law will receive much longer prison sentences than offenders convicted of the same crimes in the past.28

Suprisingly, California prioritizes planning and spending for new prison construction over new university construction. The Governor's 96/97 budget includes an inmate housing plan to accommodate the 17,300 additional inmates that CDC expects to receive this fiscal year. During this budget year, the CDC will complete occupancy of three new prisons (in Chowchilla, Susanville and Soledad). CDC will operate 33 institutions by the end of this year (up from 12 in 1984), and Governor Wilson has been diligent in paving the way for more.

The CDC reports that its prisons are operating at 190% capacity. Even with the authorized construction of new prisons, the occupancy rate is expected to reach 256% by mid-1999, which means, often 3 inmates will occupy space designed for one person. The CDC has established a goal of 120-130% capacity for its prisons. To attain this goal, the CDC would need to build 38 new prisons at a cost of $9.5 billion by mid-1999.29

Every year since 1994, Governor Wilson has introduced bond measures to approve over $2 billion for

new prisons that prison officials say they will need by the year 2000 to house all the new prisoners. If Governor Wilson gets his way, Californians will be the proud owners of 71 prisons by the year 2000, have an incarceration rate unprecedented in world history and be wondering why we cannot find the money to build that university in Merced. All this, as California's incarceration rate has increased almost 350 percent since 1980 while the crime rate has remained relatively flat.30

As dramatic as these figures are, construction costs represent only 8% of total prison spending. Unless spending on corrections can be contained to the rate of growth in state revenues, the Legislative Analyst estimates that over $1.1 billion will be diverted to prisons from other programs by the fiscal year 2000-01.31

According to the Legislative Analyst's Office, the legislature considered a number of changes that would have saved money by reducing the number or length of stay of offenders in prison and on parole. None of these changes were included in the final budget, however. The budget assumes that the prison inmate population will reach about 156,000 inmates by June 30, 1997, an increase of approximately 9.5 percent over 1995-96.

Implications: California does not have an equal playing field

Proponents of the California Civil Rights Initiative assert that the playing field is equal and discrimination against people of color no longer exists. What Californians may not realize is that many who would make it more difficult for persons of color to obtain jobs or even enroll in higher education, strongly support California's massive prison industrial complex.

President Lyndon Johnson in his Executive Order in 1965, described affirmative action as a "conscious and deliberate effort to bring qualified people of color into jobs and educational institutions from which they had been largely excluded for centuries."32 With African Americans making up 7% of California's population, 32% of those in prison, and 43% of "Third Strike" defendants, California has constructed an affirmative action program of incarceration for African Americans33. There appears to be a "conscious and deliberate effort", or at least not-so-benign neglect, afoot in California, to open the prison gates for African Americans while simultaneously closing the doors of higher education.

These statistics are not an aberration. They point to the misguided policies of the Deukmejian/Wilson administrations that have fueled the fear of crime in order to maintain popular support. In so doing, they have replaced the foundation of a solid higher education as California's number one priority with the walls and bars of prison cells.

The trade-off between investing in prisons at the cost of higher education has been largely ignored by politicians as they scramble to outdo each other to appear tough on crime. Meanwhile, voters have been kept in the dark about the correlation between increased funding for corrections and decreased appropriations for higher education. Tuition hikes for students appear to be the only proposed plan to compensate for the deficit. This fact would likely shock voters, since the overwhelming majority of Californians favor state spending on education over corrections.

Recommendations

I. Freeze on prison construction funding.

The state should immediately adopt a policy which sets a limit on the maximum size of the state prison population and a moratorium on new prison construction. The underlying philosophy which the state needs to affirm is the use of state prison only as a last resort when no other less expensive and more effective alternative sanction can be implemented. Just as the budget puts limits on the number of students who can get a college education or the amount of the welfare benefits it funds, there must be a cap on the number of convicts the state can afford to imprison, particularly since most of the growth in the prison population comes from non-violent offenders. This divestment of funds would free up money to start accommodating the growing number of college students rather than the relatively stable number of criminals in California. During this moratorium, a sentencing commission should be formed to establish realistic goals for sentencing that would make efficient use of California's limited economic resources.

II. Comprehensive reform of the criminal justice system to include a high ranking sentencing commission

The state should immediately impanel a high level commission which would oversee the reformation of California's criminal justice system. One of its primary goals should be to put a cap on the prison population and to realign the corrections budget to help support community correctional alternatives. Rehabilitation as a goal of imprisonment was removed from the Penal Code in 1977. This goal needs to be reestablished as a priority in order to reduce recidivism, thus eliminating the political frenzy to support legislation such as "Three Strikes". In short, we need to start addressing the causes of crime and recidivism rather than treating the symptoms.

The commission should also be responsible for prioritizing the use of scarce prison space and ensure that prison populations do not exceed capacity. Part of the commission's mission should be to enact a policy of "honesty in sentencing legislation". Such a doctrine would mandate that when legislation increasing the use of imprisonment is passed, funds to build and operate sufficient prison beds are passed or other sentences are shortened. The California Department of Corrections is operating at 190% of capacity, and the findings in this study indicate that the prison population will increase to 2-1/2 times the designed capacity of California's prisons by mid-1999. This warehousing of people is unacceptable, even by CDC standards. Since the $9.5 billion needed to reduce overcrowding to 120-130% (CDC's stated goal) 34 is simply not feasible, it is imperative that a policy be immediately adopted to limit growth of the prison population.

III. Enact a Community Corrections Act

Currently in California, when a county judge sentences a person to probation and sends him or her to a community based treatment program, the county pays the entire bill for the supervision and treatment of that offender. When a judge sentences a defendant to prison, however, the state picks up the whole tab. Too frequently, counties have no option but to send poor, non-violent minority offenders to state prison due to a lack of funds to treat them in their own community.

In order to address this skewed system of financial incentives, we recommend that the state of California adopt a Community Corrections Act. Currently, 58.2% of prisoners in California's prisons are non-violent offenders.35 A Community Corrections Act would reduce the incarceration rate of such low-level offenders by compensating counties for treating them locally. With proper funding, counties could address the root of offenders' criminal behavior through safe and effective programs for drug treatment, housing, employment, and supervision.

IV. Bond issue for new U.C. campus

The California Postsecondary Education Commission (CPEC) estimates that in order to keep up with enrollment increases, California's public colleges and universities together will need $1 billion per year over the next ten years for capital purposes -- new construction, renovation and restoration of existing facilities, and maintenance of facilities and equipment. This amount seems a reasonable request, given that Governor Wilson's annual proposed bond measures to approve over $2 billion for new prison construction. Thus, through its Capital Outlay Planning Adivisory Committee, CPEC should develop recommendations for the Governaor and Legislature to consider in financing captial outlay for higher education through 2010.

V. Continue to promote minority enrollment in California's universities

In order to prevent the hobbling of an entire generation of young African Americans, California needs to reinforce aggressive affirmative action policies to bring qualified underrepresented applicants into the higher education system. There has been no evidence to support the contention that affirmative action effects rampant reverse discrimination against white males. In fact, the number of people of color who benefit from affirmative action policies are modest. In July 1996, the University of California Regents, at the urging of Governor Pete Wilson, voted to end policies that take race and gender into account in admissions, hiring and contracting decisions. Ironically, this decision is expected to decrease the already modest figure of 4% of African Americans in the University of California system, to 3%.36 To ensure a student body as diverse as our state's population, the state needs to implement an even more aggressive policy of affirmative action in our public colleges and universities.

In addition, California needs to upgrade inner city public school systems, in order to better prepare inner city youth for college. The cost to maintain a ward in the California Youth Authority is about $31,000 per year, while spending per K-12 student in the public schools is about $4,500.37 Perhaps not suprisingly, California has the most crowded classrooms in the country and the nation's highest juvenile incarceration rate.

As Tidal Wave II approaches, competition for a limited number of spaces in college will increase. According to Charles Ratliff, deputy director of the California Postsecondary Education Commission, "The victims are likely to be black and Latino students who traditionally get low grade-point averages."38 Blacks and Latinos are at an unfair disadvantage in that many of them are raised in neighborhoods that simply lack the funding to provide high quality educational resources. Funding inner city public school systems should be a priority in the State budget, in order to ensure that all high school students are provided with a comparable quality of education.

Finally, California needs to increase scholarship funding for underprivileged students. The California Postsecondary Education Commission illustrates the importance of financial aid funding`: "An unfunded financial aid policy is worse than meaningless: its injustice breeds social cynicism and resentment among the students it is designed to assist."39 We need to make sure that no student is denied a college education due to economic circumstances. Students and families should, of course, share the cost of attending college within their means. However, care needs to be taken to assess each individual's financial situation and to award the largest grants to the neediest students.

Conclusion

As we look back on our past and toward our future, it becomes self-evident that a well-educated populace has always been, and must continue to be, California's most important natural resource. Postsecondary education makes a direct contribution to the public commonwealth at all levels. It supplies an educated citizenry, a flexible and versatile workforce, a strong and dynamic economy, and cultural values that nurture social and political cohesion among a diverse populace.40" In spite of the ever-growing numbers of imprisoned offenders in California, the crime rate has remained relatively stable over the past 15 years. The "get tough on crime" movement has been one based largely on exaggerated figures and quick-fix solutions. As a state, we need to reprioritize and not let fear of crime interfere with rational decision-making. California's college students are suffering as a direct result of the prison industry's enormous power, and the situation is going to become even more desperate in the years to come if we do not make a "conscious and deliberate effort" to effect a significant change in our state's budget.

Justice Harry Blackmun concluded in his concurring opinion in the landmark Regents of the University of California v. Bakke (1978) decision that it is impossible to achieve the goal of color-blindness without using the means of race-conscious remedies, eloquently explaining: "In order to get beyond racisim, we must first take account of race. There is no other way." Bakke recognized the benefits of affirmative action, such as improving the educational experience and producing graduates who serve states' diverse populations.41

The undeniable fact is that race continues to play a pervasive role in our society, defining and limiting opportunities for African Americans and other persons of color. As a state, we are quick to point out perceived inequalities which could affect small numbers of the white majority, as evidenced by the existence of the California Civil Rights Initiative. Sadly, however, we can easily justify the "preferential treatment" of African Americans in prison sentencing. It is time for the public outcry for color-blindness to carry over to the prison system and for our government to begin taking a proactive role in assuring truly equal opportunities for all Californians. A shift in priorities from funding prisons to funding higher education would be a good first step.

Methodology

Data on "public higher education" includes the University of California (UC) and California State University (CSU) systems. As in the Governor's 1994/1995 Budget, Community Colleges were excluded, as they are protected in the California state budget by Proposition 98. Information was obtained from a variety of resources, including the internet, printed reports, and by telephone.

The Legislative Analyst's office provided data on UC and CSU fees, General Fund appropriations, and crime and incarceration rates. The California Higher Education Policy Center provided data on student aid and student demographics. The California Postsecondary Education Commission (CPEC) provided information on student fees, enrollment projections, and insight on how to accommodate the growing student population. The California Department of Corrections provided information on the 96-97 Budget Bill, characteristics of prisoners, and cost of incarceration.

The rates of imprisonment and enrollment in public higher education of both African Americans and Whites are based on information provided by the sources listed above in addition to statewide population estimates obtained from the California Department of Finance.

The median income for households in California is not broken down by ethnicity. Therefore,

information on median income for African Americans and Whites was taken from the national figures from the U.S. Census Bureau.

California state budget figures are based on the California State Budgets passed for both 1980/81 and 1996/97 with information obtained from the Legislative Analyst's Office. Specifically, the Corrections budget in this report refers to expenditures on Youth and Adult Correctional Agencies (YACA). The Governor's current budget is based on the assumption that the state will receive $514 million in federal funds to offset the costs of incarcerating and supervising undocumented felons in state prison and the Department of the Youth Authority. Since the federal budget passed with significantly less than the $514 million requested (Geoff Long will get back to Lea with the exact amount), the difference was added back in to obtain a final annual CDC budget. The Higher Education budget in this report includes all the expenditures for Higher Education excluding the amount earmarked for California's Community College system.

Projections for the number of African American males enrolled at UC and CSU are based on projections of the total number of African American students multiplied by the current proportion of African American male to female students (40% are male) at UC. The proportion of African American males at CSU was not available. Therefore, the current proportion of African American males at UC was used to compute the current number and estimated projection of African American males enrolled at CSU.

Projections for the number of African American males in prison are based on the current incarceration rates of African Americans in addition to the higher rates of incarceration for African Americans under the "Three Strikes and You're Out" legislation42. 12.5% of cases are currently sentenced under "Three Strikes". African Americans represent 43% of those currently sentenced under "Three Strikes" and 32% of those in the general prison population. These percentages were thus applied to the projected number of general population and "Three Strikes" prisoners and the results were then combined. The resulting sum was then multiplied by .93, the current proportion of males in the prison population.

Endnotes

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